

APPENDIX:

4. (Amended) Nucleic acid molecule according to claim 1 [any of the preceding claims], characterized in that it is present in single-stranded or double-stranded form.

5. (Amended) Nucleic acid molecule according to claim 1 [any of the preceding claims], characterized in that it is present

- (i) as DNA sequence or
- (ii) as RNA sequence corresponding to (i) or
- (iii) as PNA sequence,

where the nucleic acid molecule is modified, where appropriate, in a manner known per se for analytical detection methods, in particular for those based on hybridization and/or amplification.

6. (Amended) Nucleic acid molecule according to claim 1 [any of the preceding claims], characterized in that up to 20% of at least 10 successive nucleotides of its nucleotide chain, in particular 1 or 2 nucleotides, have been replaced by analogous building blocks known per se for probes and/or primers, in particular by nucleotides not naturally present in bacteria.

7. (Amended) Nucleic acid molecule according to claim 1 [any of the preceding claims], characterized in that the nucleic acid molecule has been modified or labeled by or additionally by having one or more radioactive groups, colored groups, fluorescent groups, groups for immobilization on a solid phase and/or groups for an indirect or direct reaction, in particular for an enzymatic reaction, in particular with the aid of antibodies, antigens, enzymes and/or substances with affinity to enzymes or enzyme complexes, and/or otherwise modifying or modified groups of a nucleic acid-like structure.

8. (Amended) Kit for analytical detection methods, in particular for detecting bacteria of the species *Listeria monocytogenes*,

characterized by one or more nucleic acid molecules according to claim 1 [any of the preceding claims].

9. (Amended) Use of one or more [or] of nucleic acid molecules according to claim 1 [any of claims 1 to 7 or of a kit according to claim 8] for detecting the presence of absence of bacteria of the species *Listeria monocytogenes*.

12. (Amended) Use according to claim 1 [(sic)], characterized in that the bacteria to be detected are distinguished from the bacteria not to be detected on the basis of differences in the genomic DNA and/or RNA in at least one nucleotide position in the region of one of the nucleic acid molecules [according to claim 3].